IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

(1) CIVIL WRIT No. 3444 of 2006

SMT.RUKMA DEVI
V/S
U.I.T.UDAIPUR & ORS.

(2) CIVIL WRIT No. 3448 of 2006

HEERA LAL
V/S
U.I.T.UDAIPUR & ORS.

(3) CIVIL WRIT No. 3087 of 2006

HAMID HUSSSAIN
V/S
STATE & ORS

(4) CIVIL WRIT No. 3129 of 2006

ROOP LAL DANGI
V/S
STATE

(5) CIVIL WRIT No. 5766 of 2006

MOHD. HUSSAIN BHORA
V/S
STATE & ORS.

(6) CIVIL WRIT No. 3283 of 2006

ARVIND KUMAR
V/S
STATE OF RAJ. & ORS.

Mr. SAJJAN SINGH }
Mr. GIRISH JOSHI } for the petitioner

Mr. T GUPTA, }
Ms. ARUNA NEGI for Mr.PR MEHTA } for the respondent

Date of Order : 27.2.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

The matter comes up for consideration of stay petition. However, with the consent of learned counsel for the parties, it is directed that the petitioners may move an appropriate application under the Proviso to Section 91A of the Urban Improvement Act before the Divisional Commissioner, within a period of 30 days from today, projecting their right over the land, or property, which is sought to be used for the purpose of construction of Gaurav Path, and including pointing out the factum of pendency of any application for conversion of land from agricultural to non-agricultural purposes. The Divisional Commissioner shall thereafter decide the matter after taking on record, and considering the material, that may be produced by the petitioners, substantiating their right, and the U.I.T. will not demolish, or take possession of any part of the property, which is found by the Divisional Commissioner to be belonging to the petitioners, without taking due process of law, in accordance with the provisions and/or principles of the Land Acquisition Act, 1984. The Divisional Commissioner is expected to decide the matter most expeditiously, and till the matter is so decided and/or till the appropriate compensation is paid to the petitioners, the property/land, which is found to be of the petitioners, shall not be taken possession of by the U.I.T., nor any demolition shall be effected during this

interregnum period.

All the above writ petitions are accordingly disposed of.

(N P GUPTA),J.

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